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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION FIVE

In re A.D., a Person Coming Under the
Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

A.D.,

Defendant and Appellant.

A155772

(Contra Costa County
Super. Ct. No. J1800477)

In this proceeding under Welfare and Institutions Code section 602, A.D. appeals from a dispositional order imposing an electronic search condition. His attorney has filed a brief seeking our independent review of the appellate record, pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), to determine whether there is any arguable issue on appeal. We find no arguable issue and affirm.

I. FACTS AND PROCEDURAL HISTORY

A wardship petition under Welfare and Institutions Code section 602 alleged that A.D., who was then 14 years of age, committed misdemeanor sexual battery (Pen. Code, § 243.4, subd. (e)).

The petition was amended to add a count for misdemeanor battery on school grounds (Pen. Code, § 243.2). While represented by legal counsel, A.D. signed a “Waiver of Rights – Juvenile Delinquency” form, by which he expressed his desire to

plead no contest to this battery charge while acknowledging the consequences of his plea and waiving specified legal rights. The court found that A.D. knowingly, willingly, and voluntarily waived his rights to a contested hearing, and accepted his no contest plea as freely, voluntarily, and knowingly made. The sexual battery allegation was dismissed.

The probation report summarized A.D.'s offense as follows, based on the police incident report. A.D.'s 14-year-old female victim was sitting at a table in class when A.D. started touching her breast through her shirt. A.D. stopped when she asked him to, but resumed touching her breasts two more times. She pushed A.D.'s hand away, left her seat, and told the principal that A.D. had touched her breasts on two occasions.

A.D. claimed to the probation officer that the physical contact had occurred when he was trying to get his phone from the victim, who had purportedly held it against her chest. The probation officer concluded that A.D. was attempting to mitigate his responsibility, noting that "[n]owhere in the police report does it state a cell phone was involved, either by the victim or the witness."

At the disposition hearing, the juvenile court also doubted A.D.'s account and was concerned about A.D.'s prior incidents of sexually inappropriate behavior at school. The court ordered A.D. "to have absolutely no contact with [the victim], either directly or indirectly through any third party by any electronic means. You're not to post any disparaging or harassing remarks about her on any social media application or website."

In addition, the court indicated it would issue an electronic search condition "to ensure compliance with these conditions and to deter future engagement in unlawful behavior." The court stated: "You must submit your cell phone [and] any other electronic device under your control to a search of any medium of communication reasonably likely to reveal whether you're complying with the terms of your probation with or without a warrant at any time of day or night; such medium of communication includes text messages, voice mail messages, photographs, e-mail accounts and other social media accounts applications such as Snapchat, Instagram, Facebook and Kik. [¶] You must provide access codes to Probation or any other peace officer upon request to effectuate the search."

Trial counsel objected to the electronic search clause under “*People v. Lent* [(1975) 15 Cal.3d 481].”

According to the minute order from the disposition hearing, the court declared wardship and placed A.D. on home supervision for 90 days. The court imposed probation conditions, including the electronic search condition and the condition that A.D. have no contact with the victim. This appeal followed.

II. DISCUSSION

A.D.’s appellate counsel represents in the opening brief that she advised A.D. of his right to file a supplemental brief in this court within 30 days of the opening brief, to bring to this court’s attention any issues he believes deserve review. The 30-day period has expired, and we have not received any supplemental brief from A.D.

We find no arguable issues on appeal. There are no legal issues that require further briefing.

III. DISPOSITION

The judgment is affirmed.

NEEDHAM, J.

We concur.

SIMONS, ACTING P.J.

BURNS, J.

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